

### **REMARKS/ARGUMENTS**

Claims 1-19 remain in the application. Claims 1, 6, 8-9, 11, 15, 17 and 19 are amended to correct informalities noted in the Office Action. No new matter is added by any of these amendments.

#### **A. Claim objections.**

The amendments to the claims are believed to overcome the objections.

#### **B. Claim terminology.**

The terms "token" and "resource locator" are intended to be given their plain meaning as those terms are interpreted by those of ordinary skill in the art.

The explanation of "token" given at page 23 provides a useful working definition as a "link that do not refer directly to the server/directory/file name at which a data object is located." Hence, a "URL" as suggested by the Office action is not normally a token to the extent the URL refers to a specific server/directory/file name. However, a URL could potentially serve as a token to the extent that it did not directly refer to the server/directory/file name at which a data object is located. This would, however, be an unconventional URL.

#### **C. Rejections under 35 U.S.C. 112.**

Claim 18 was rejected under 35 U.S.C. 112. This rejection is respectfully traversed. It is respectfully believed that the phrase "in exchange for payment" is clear on its face and requires no additional explanation to enable one skilled in the art to use the invention. However, if the examiner believes that the specification could be improved by copying the text of claim 18 into the specification, applicant is willing to make such an amendment.

#### **D. Rejections under 35 U.S.C. 102.**

Claims 1-5 and 7-11 were rejected under 35 U.S.C. 102 based upon RFC 1034. This rejection is respectfully traversed.

Claim 1 calls for, among other things, data storage devices that are accessible through an intermediary server and have data units, including stored

data that is requested by the client application. At least these elements of claim 1 are not shown or suggested in the relied on reference.

The Office action asserts that the resolver discussed in RFC 1034 is equivalent to the claimed intermediary server. However, the reference states that the resolver "is located on the same machine as the program that requests the resolver's services." Hence the resolver is not a server. Moreover, the "hosts" are not data storage devices that are accessible through the resolver. It is respectfully believed that hosts do not communicate with the resolver processes. The resolver processes are not associated with any particular storage. While a resolver will return a network address to an application, the resolver does not return the stored data that is requested by the client application. Instead, the client application must find some way to use the returned network address to contact the storage location and obtain the data.

Claims 2-5 and 7-10 depend from claim 1 and are distinct from RFC1034 for at least the same reasons as claim 1.

With respect to claim 11, RFC1034 is believed to not show an intermediary server or to show or suggest storing units of data in one or more data storage devices accessible to the intermediary server for reasons similar to those discussed in reference to claim 1. Specifically, the resolver is not a server, nor is the resolver coupled to any specific storage. For at least these reasons claim 11 is allowable over the relied on reference.

Claims 12-19 were rejected under 35 U.S.C. 102 based upon Farber et al. This rejection is respectfully traversed.

Claim 12 calls for, among other things, transmitting a token to an intermediary computer and using the token to identify a specific storage location for a data object represented by the token. At least these features of claim 12 are not shown or suggested by the relied on reference.

The resource identifier in Farber et al. is not a token. The resource identifier explicitly or implicitly refers to the origin server (i.e., the server upon which the requested resource resides). This appears to be contrary to the common meaning of token and the meaning of "token" as it appears in the instant specification. The "reflector" in Farber does not use a token to identify a specific location. Instead, Farber redirects a request from one server to another server. In either case the client must make a request that contains an explicit or implicit reference to the origin server. For at least these reasons claim 12 is not shown or suggested by the relied on reference.

Claims 13-17 depend from claim 12 and are distinct from Farber et al. for at least the same reasons as claim 12 as well as the particular limitations appearing in those claims.

Independent claims 18 and 19 call for, in varying language, the use of tokens. As noted above, the Farber reference does not show or fairly suggest the use of tokens. For at least these reasons claims 18 and 19 are allowable over the relied on reference.

**E. Rejections under 35 U.S.C. 103.**

Claim 6 was rejected under 35 U.S.C. 103 based upon RFC 1034. This rejection is respectfully traversed. Claim 6 is distinct from RFC1034 for at least the same reasons as claim 1 from which it depends. Moreover, claim 6 calls for the storage devices that are coupled to the intermediary server to be configured as a storage area network. This storage area network, according to the rejection of claim1, is accessible through the "resolver". One would have no reason to use a resolver program, which is a relatively small, special purpose piece of code executing in a client, as an access to a storage area network. Resolver programs just do not need that much storage. There is not motivation to make such a change, nor would any foreseeable performance improvement arise if such a change were made. Accordingly, it is respectfully requested that the rejection be withdrawn.

**F. Conclusion.**

The references that were cited but not relied upon are no more relevant than the references that were relied upon. In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

Any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,



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